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Outgoing
8/8/5/0019
&

From: Angela Nance
To: Kenneth.Fleck@pacificorp.com
Date: 8/4/2009 9:06 AM
Subject: Exhibit "D" & "A"
Attachments: Exhibit_D.pdf; Exhibit_A2009final.pdf; PERMITTEEAFFIDAVIT OF QUALIFICATION.doc; SURETYAFFIDAVIT OF QUALIFICATION.doc

Hi Ken,

According to my records, the disturbed area at the Cottonwood/Wilberg Mine has been decreased by 13.81 acres as a result of the Phase II and III Bond Release at Old Waste Rock. Please complete the attached Exhibit "D" and Exhibit "A" to reflect this recent reduction and return to me as soon as possible.

Thank you,
Angela Nance
Bond Coordinator
angelanance@utah.gov

EXHIBIT "D"

**Stipulation to Revise
Reclamation Agreement
(Federal)**

Exhibit "D"
Stipulation to Revise
Reclamation Agreement
Federal

Permit Number: _____
Effective Date: _____
Bond Number: _____

COAL
STIPULATION TO REVISE RECLAMATION AGREEMENT
--ooOoo--

This **STIPULATION TO REVISE RECLAMATION AGREEMENT** entered into by and between the **PERMITTEE** and **DIVISION** incorporates the following revisions or changes to the **RECLAMATION AGREEMENT** : (Identify and Describe Revisions below)

In accordance with this **STIPULATION TO REVISE RECLAMATION AGREEMENT** , the following Exhibits have been replaced by the **PERMITTEE** and are approved by the **DIVISION** .

_____ Replace the Reclamation agreement in its entirety.

_____ Replace Exhibit "A"- bonded area.

_____ Replace Exhibit "B"- bonding agreement

_____ Replace Exhibit "C"- liability insurance

The bonding amount is revised from \$ _____ to \$ _____.

The bonding type is changed from _____ to _____.

The surface disturbance is revised from _____ acre to _____ acres.

The expiration date is revised from _____ to _____.

The liability insurance carrier is changed from _____ to _____.

The amount of insurance coverage for bodily injury and property damage is changed
from
\$ _____ to \$ _____.

Exhibit "D"
Stipulation to Revise
Reclamation Agreement
Federal

IN WITNESS WHEREOF, _____ the **PERMITTEE** has hereunto set
its signature and seal this _____ day of _____, 20____.

PERMITTEE

By: _____

Title: _____

ACCEPTED BY THE STATE OF UTAH this ____ day of _____, 20____.

Director,
Division of Oil, Gas and Mining

NOTE: An **Affidavit of Qualification** must be completed and attached to this form for each authorized agent or officer. Where one signs by virtue of Power or Attorney of a company, such Power of Attorney must be filed with this Agreement. If the **PERMITTEE** is a corporation, the Agreement shall be executed by its duly authorized officer.

EXHIBIT "A"

**Bonded Area
Legal Description**

(Federal Coal)

Exhibit "A"
Legal Description
Federal
Bond Number _____

EXHIBIT "A"

Pursuant to R645-301- 820.110, the surety bond covers an identified increment of land within the permit area upon which the operator will initiate and conduct coal mining and reclamation operations during the initial term of the permit. This area is identified as:

Map(s) showing the BONDED AREA within the approved PERMIT AREA :

Legal description of BONDED AREA:

The above described area shall be modified as necessary to correspond to an increase in the area disturbed as a result of an expansion of coal mining and reclamation operations. The described area may also be decreased as a result of partial reclamation.

IN WITNESS WHEREOF the **SURETY** has hereunto set its signature and seal this

_____ day of _____, 20____.

SURETY

By:

Title:

Bond Number _____

**AFFIDAVIT OF QUALIFICATION
PERMITTEE**

--ooOOoo--

I, _____, being first duly sworn under oath, deposes and says that he/she is the (officer or agent) _____ of _____; and that he/she is duly authorized to execute and deliver the foregoing obligations; and that said PERMITTEE is authorized to execute the same and has complied in all respects with the laws of Utah in reference to commitments, undertakings and obligations herein.

(Signed) _____
Name - Position

Attest: _____
Secretary of the Corporation

STATE OF _____)
) ss:
COUNTY OF _____)

Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public

My Commission Expires:

_____, 20 ____.

_____, 20____.